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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,419	06/24/2003	Andrew R. Ferlitsch	SLA1329	9609
50735 7590 10/02/2007 MADSON & AUSTIN 15 WEST SOUTH TEMPLE SUITE 900 SALT LAKE CITY, UT 84101			EXAMINER PHAM, THIERRY L	
			ART UNIT 2625	PAPER NUMBER
			MAIL DATE 10/02/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/602,419

Applicant(s)

FERLITSCH, ANDREW R.

Examiner

Thierry L. Pham

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-17 and 19-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-17, 19-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

- This action is responsive to the following communication: an Amendment filed on 7/27/07.
- Claims 1, 3-17, 19-30 are currently pending; claims 2 & 18 have been canceled.

#### *Claim Objections*

Claims 12, 19-22 objected to because of the following informalities: Claims 12, 19-22 cannot be dependent upon canceled claims. Appropriate correction is required.

#### *Specification*

The disclosure is objected to because of the following informalities: **Brief Summary of the Invention** is missing from the specification. Appropriate correction is required. Note: Summary of the Invention **is required** for the specification.

Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.

#### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-17, 19-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka et al (US 6519048) and in view of Leiman et al (US 6469796).

Regarding claim 1, Tanaka discloses a method for monitoring (monitoring a print job, fig. 5-7) an imaging job sent to an imaging device (network printer, fig. 1 & 7) being used by a computer system (host computer, fig. 1 & 7), the method comprising:

- sending (sending via network 109, fig. 1 & 7) an imaging job to an imaging device (network printer, fig. 1 & 7);
- receiving (receiving by network printer, fig. 1 & 7) the imaging job at the imaging device;
- discovering (address extracting means for extracting network address of host computer that has been embedded in the print job, col. 5, lines 30-35) an implicit network address from the imaging job;
- starting (starting processing the print job by network printer, fig. 7) the imaging job at the imaging device; and
- sending (sending via network 109, fig. 1 & 7) a status message (status message, fig. 7, col. 5, lines 35-40) for the imaging job to the network address.

Tanaka fails to teach and/or suggest discovering the implicit network address is achieved without using an explicit process of a monitoring process in the imaging job.

Leiman, in the same field of endeavor for monitoring print job status, teaches a well-known example of discovering the implicit network address is achieved without using an explicit process of a monitoring process in the imaging job.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify obtaining method for network address as taught by Tanaka to include a well-known example of discovering the implicit network address is achieved without (print server detects IP address of each devices in a network without having to embedded in it the print job, figs. 5-31) using an explicit process of a monitoring process in the imaging job as taught by Leiman because of a following reason: (•) allowing multiple users to view print job status of others including his/her own by registering network address with printer's server (open printing system as shown in figs. 1-3).

Therefore, it would have been obvious to combine Tanaka with Leiman to obtain the invention as specified in claim 1.

Regarding claim 3, Tanaka further discloses the method of claim 1, further comprising receiving the status message by (fig. 7) a client computing device.

Regarding claim 4, Tanaka further discloses the method of claim 3, further comprising verifying that the imaging job of the status message originated (fig. 7, col. 6, lines 1-20) on the client computing device.

Regarding claims 5, 7 & 17, Leiman further teaches imaging device is selected from the group consisting of a printer, a scanner, a fax machine, a copier and a document server (selecting a device for processing a print job is well known and widely available use in the art, fig. 5).

Regarding claim 6, Tanaka further discloses the method of claim 1, further comprising registering (fig. 7) a client computing device with an imaging server (printer server, fig. 7) to receive notifications regarding the imaging job.

Regarding claim 8, Tanaka further discloses the method of claim 6, further comprising sending the imaging job from the client computing device to the imaging server (print server, col. 4, lines 1-5) before the imaging job is sent to the imaging device.

Regarding claim 9, Tanaka further discloses the method of claim 8, further comprising receiving the status message by the imaging server and sending the status message from (from printer server to client computer, fig. 7) the imaging server to the client computing device.

Regarding claim 10, Tanaka further discloses the method of claim 9, further comprising verifying (verification process as shown in fig. 7) that the imaging job of the status message originated on the client computing device.

Regarding claim 11, Tanaka further discloses the method of claim 9, further comprising verifying (verification process as shown in fig. 7) that the imaging job of the status message was communicated through the imaging server.

Regarding claims 12, 29-30, Leiman further teaches an example of receiving the status message by a monitor (fig. 15) on a client computing device or printer's server monitor.

Regarding claim 13, Tanaka further discloses the method of claim 8, further comprising receiving the status message by the imaging server and sending the status message from the imaging server to a monitor (cols. 5-6) on the client computing device.

Regarding claim 14, Tanaka further discloses the method of claim 8, further comprising receiving the status message by a server monitor on the imaging server and sending the status message from the server monitor on the imaging server to a monitor (status message for user to view, cols. 5-6) on the client computing device.

Regarding claim 15, Tanaka further discloses the method of claim 6, wherein registering (register IP address of client computer, fig. 7, cols. 5-6) the client computing device with the imaging server includes providing a client computing device address to the imaging server.

Regarding claim 16 recites limitations that are similar and in the same scope of invention as to those in claim 1 above; therefore, claim 16 is rejected for the same rejection rationale/basis as described in claim 1.

Regarding claims 19-22, Tanaka further discloses a computer-readable medium (e.g. RAM or ROM, fig. 4) that is part of printer, scanner, fax, print server, and etc.

Regarding claim 23, Tanaka further discloses an imaging system (printing system, fig. 1 & 7) configured to implement a method for monitoring (monitoring a print job, fig. 5-7) an

imaging job for use with an imaging device that utilizes implicit network address discovery, the imaging system comprising:

- a computing device (host computer, fig. 7);
- an imaging device (network printer, fig. 7) in electronic communication with the computing device;
- executable instructions (instructions as shown in fig. 5-7) executable on the computing device, wherein the executable instructions are configured for:
  - allowing a client computing device to register with the imaging system to receive notifications regarding an imaging job;
  - receiving the imaging job (fig. 7) from the client computing device;
  - sending (sending via network 109, fig. 1 & 7) the imaging job to the imaging device, wherein the imaging device discovers (address extracting means for extracting network address of host computer that has been embedded in the print job, col. 5, lines 30-35) an implicit network address from the imaging job and sends a status message for the imaging job to the network address;
  - receiving (receiving by network printer, fig. 1 & 7) a status message from the imaging device relating to the imaging job;
  - using registration (address of client computer, fig. 7, cols. 5-6) information to identify the client computing device; and
  - sending the status message (status message, fig. 7, col. 5, lines 35-40) to the client computing device.

Tanaka fails to teach and/or suggest discovering the implicit network address is achieved without using an explicit process of a monitoring process in the imaging job.

Leiman, in the same field of endeavor for monitoring print job status, teaches a well-known example of discovering the implicit network address is achieved without using an explicit process of a monitoring process in the imaging job.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify obtaining method for network address as taught by Tanaka to include a well-known example of discovering the implicit network address is achieved without (print server detects IP address of each devices in a network without having to embedded in it the print

job, figs. 5-31) using an explicit process of a monitoring process in the imaging job as taught by Leiman because of a following reason: (●) allowing multiple users to view print job status of others including his/her own by registering network address with printer's server (open printing system as shown in figs. 1-3).

Therefore, it would have been obvious to combine Tanaka with Leiman to obtain the invention as specified in claim 23.

Regarding claim 24, Tanaka further discloses the imaging system of claim 23, further comprising a server monitor for receiving the status message on the imaging server and for sending the status message from the server monitor on the imaging server to a monitor (status message to be displayed on user's monitor, fig. 7, cols. 5-6) on the client computing device.

Regarding claim 25, Tanaka further discloses the imaging system of claim 24, wherein the registration information includes a client computing device address (device ID, cols. 5-6).

Regarding claims 26 & 28 recite limitations that are similar and in the same scope of invention as to those in claim 23 above; therefore, claims 26 & 28 are rejected for the same rejection rationale/basis as described in claim 23.

Regarding claim 27, Tanaka further discloses the system of claim 26, further comprising an imaging server in electronic communication with the computing device and the imaging device, wherein the imaging job is sent from the computing device to (from client to printer server, fig. 7) the imaging server, and wherein the imaging server sends the imaging job to the imaging device (then from printer server to printer, fig. 7, cols. 5-6).

### ***Response to Arguments***

Applicant's arguments filed 7/27/07 have been fully considered but they are not persuasive.



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- Regarding to claim 1, the applicant argued the cited prior art of record (US 6469796 to Leiman et al) fails to teach and/or suggest “discovering an implicit network address from the imaging job without using an explicit address of a monitoring processing in the imaging job”.

In response, the examiner disagrees. Leiman teaches an “open print server” for identifying the source computers and printers without having the users embed the network address into the print job. Source computers can be identified by its name (e.g. CPU1) or owner’s name (AWM1, fig. 8-9). The examiner herein interprets client’s computer name such as CPU1 as network address. It is well known in the art that network address can be represented by IP address, computer’s name, geographical location, and etc. as long as users and/or administrators can identify it. In addition, all computers which are connected to the network must be identified by some type of identifications (e.g. owner’s name, computer’s name, IP address, and etc).

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US 5898823 to Sorkin et al, teaches a well-known example of automatically detecting/discovering an implicit network address from the imaging job without using an explicit address of a monitoring processing in the imaging job (see fig. 4, col. 2, lines 3-50), wherein network address is embedded in the non-print job data header that are transmitted to the server prior to transmitting the print job.
- US 6728001 to Lee, teaches a well-known example of detecting/discovering an implicit network address of connected computers without embedding the network address in the print job (abstract, fig. 4-5).

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

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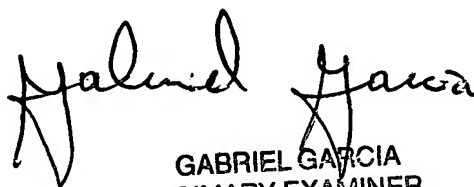
the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L. Pham whose telephone number is (571) 272-7439. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thierry L. Pham

  
GABRIEL GARCIA  
PRIMARY EXAMINER